

## REMARKS/ARGUMENTS

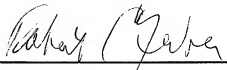
Claims 1-7 were pending in the Application prior to the present Amendment. All claims were rejected in the Final Office Action of January 5, 2009 as being unpatentable over Collins et al. (U.S. Patent Publication No. 2004/0160151). Applicants amend Claim 1, cancel Claim 7 and respectfully request a reconsideration of the rejection.

Applicants thank the Examiner for the courtesy extended to the Applicants' attorney during the telephone interview of March 31, 2009. As discussed during the interview, Applicants amend Claim 1 to include limitations previously found in Claim 7. Specifically, Claim 1 now recites that the upper relief configuration 30 defines a lower relief configuration 40 and that when a plurality of the racks 10 are stacked over each other (as shown, for example, in Fig. 3), bottles positioned on a lower rack are enclosed by the lower relief configuration of an upper rack and the upper relief configuration of the lower rack. Applicants believe that the present Amendment does not raise any issues which would require any additional search. Therefore, the Amendment is being submitted without a Request for Continuation.

As discussed during the interview, Collins et al. does not disclose the above limitations of Claim 1, as amended. Therefore, Claim 1 is allowable over the cited prior art. Claims 2-6, dependent on claim 1 are similarly allowable over the cited prior art for at least the reasons given with respect to claim 1 and, further, on their own merits. Favorable reconsideration of the rejection and allowance of all pending claims is respectfully requested.

THIS CORRESPONDENCE IS BEING  
SUBMITTED ELECTRONICALLY  
THROUGH THE UNITED STATES  
PATENT AND TRADEMARK OFFICE  
EFS FILING SYSTEM  
ON MARCH 31, 2009

Respectfully submitted,



Robert C. Faber  
Registration No.: 24,322  
Ostrolenk, Faber, Gerb & Soffen, LLP  
1180 Avenue of the Americas  
New York, New York 10036-8403  
Telephone: 212 382 0700

RCF:AV:dl